

November 20, 2006

I. Call to Order/Roll Call/Opening Ceremonies

Chairman Alex Vispoli opened the meeting of the Board of Selectmen on Monday, November 20, 2006 in the Selectmen's Conference Room in the Town Offices at 6:07 p.m. Present were Selectmen John Hess, Ted Teichert, Brian Major, and Chairman Alex Vispoli. Selectman Mary Lyman arrived at 6:09 p.m. Town Manager Buzz Stapczynski was also present.

II. Executive Session

It was moved by Selectman Teichert and seconded by Selectman Major that the Board goes into Executive Session to discuss pending litigation and to return to Open Session. The motion was voted and approved 4-0 by roll call vote, Selectmen Hess, Teichert, Major and Chairman Vispoli in favor. Present at the Executive Session was Town Manager Buzz Stapczynski, Jack Petkus, DPW Director and William DiAmato, Esq.

There being no further business to come before the Board, a motion was duly made and seconded to adjourn the Executive Session and return to the Open Meeting at 7:00 p.m. The motion was voted and passed 5-0 by roll call vote, Selectmen Hess, Lyman, and Chairman Vispoli, in favor of the motion.

III. Opening Ceremonies

Upon return from Executive Session, Chairman Vispoli called the Regular Meeting to order at 7:15 p.m. Selectmen Lyman, Teichert, Hess, Major and Chairman Vispoli were present. Also present was Town Manager Buzz Stapczynski and Town Clerk Randal Hanson. The Chairman called for a moment of silence followed by the Pledge of Allegiance. Recording Secretary Elizabeth A. Kochakian took the minutes. This meeting was duly posted and cablecast live.

IV. Communications/Announcements/Liaison Reports

Town Manager Stapczynski:

- The Firefighters Holiday Parade is this Sunday at 1:00 p.m. Selectmen were asked to be there at 12 noon. Hopefully it will be good weather but if not, the rain date is Sunday December 3, 2006.
- Randy Hanson gave the official results of the election held several weeks ago on the 7th of November. She said that 13,485 people came out to vote at the two polling places; a 70% turnout. The Secretary of State certified the vote today. She thanked all the people that helped including people from the Department of Public Works, School Department, cafeteria workers at the High School, Sr. Center, etc. She said they have all been very busy this year with 3 elections and one town meeting and are now looking forward to the holidays. Selectman Lyman told Ms. Hanson they owed her and the staff a great deal of thanks. When said she went to both polling places and felt they were really well run and people were very friendly. She was very impressed with how everything was handled. The Manager said it was a job well done.
- The Andover Business Center will sponsor "Holiday Happenings" Friday, December 1 from 5:00 to 9:00 and Main Street will be closed from Punchard Avenue to Elm Square. A number of activities are also being planned for Saturday.
- They are working with the tree lighting folks to have the trees lit downtown on December 1. The Andover Business Center Association has come up with some money so they are hoping to light five additional trees downtown for a total of up to 21 trees lit. He said they have raised about \$3,500 to date. The Manager noted that the cost this year would be less because the lights are permanently installed; the \$19,000 they have spent in the past will be cut in half this year.

November 20, 2006 (Cont.)

IV. Communications/Announcements/Liaison Reports (Cont.)

Town Manager Stapczynski (Cont.):

- A tri-board meeting with the Selectmen, Finance Committee and School Committee, has been scheduled for next Monday, the 27th of November in this meeting room at 7:00 p.m. to talk about the CIP, revenue projections for the upcoming year, and operating budget concerns.
- At a recent meeting, he said they had a Selectmen's vote on the Traffic Rules and Regulations for the intersection of Shaw/Wildwood/Holt. From that meeting, Mr. Petkus's office made contact with the homeowner at 33 Wildwood and he has agreed to move the vegetation to accommodate that right hand turn line of site. The vegetation will be removed and replaced a distance back and at the Town's expense. Selectman Lyman suggested they let Debra Colombo know about the good news.
- The winter parking ban will start Dec. 1. There will be no parking on streets from December 1 through the end of March, midnight to 6:00 a.m.
- The Massachusetts Municipal Association has recently informed them that the Merrimack Valley Chamber along with the towns of Andover, Lawrence, Methuen and North Andover have received the Kenneth E. Picard Municipal Innovation Award for 2007 for the work the Chamber did on the "Merrimack Valley Means Business" program, with the GIS system that allows someone from another part of the country to look at potential space for rent, sale or lease in the Merrimack valley. He said they would be physically receiving the award on January 13 at the MMA meeting.

Selectman Brian Major:

- They all received notification that this Friday, November 24, there will be a thank you reception for Fred Stott at Dylan's downtown Andover from 5:00 to 7:00 p.m. Mr. Stott will be there and folks who would like to, may come to thank him for the contributions he made to the Andover community in many different ways.
- On December 2nd, at 10:00 a.m. in the Old Town Hall there will be a breakfast with Santa Clause.

Selectman John Hess:

- Selectman Hess wished everyone a Happy Thanksgiving.
- Congratulated Chairman Vispoli and Buzz Stapczynski and those who presented on a number of projects that are going on in town at the Mid Year Review last Wednesday night. It was very informative and thanked them for that.
- A few weeks ago, Selectmen Hess said they had a fundraiser funded by the Senior Center for residents of Washington Park that were flooded out last May. He said there is going to be a fundraiser on December 2nd for residents of the Balmoral Condominiums that also lost a lot of possessions.

Selectman Ted Teichert:

- On Fred Stott being involved in the community, he said Mr. Stott actually reached out beyond the community being involved in the Appalachian Mountain Club.

IV. Communications/Announcements/Liaison Reports (Cont.)

November 20, 2006 (Cont.)

Selectman Ted Teichert (Cont.):

- Selectmen Teichert explained that he was at one of the lodges up in Crawford Notch this past winter. They had a new lodge there and walking down the hall he saw the Fred Stott Room that he felt was quite an honor for Mr. Stott.
- He said the High School Girls' Swim Team has won the State title again the 8th year in the row. He commended them for a job well done for the past 8 years.

Selectman Mary Lyman:

- When they talked about Section 19, Selectman Lyman said they talked about wanting to hear back with ideas from the Unions to discuss at a meeting in January. She suggested they should try to send a letter on behalf of the Manager and School Committee both to the Unions saying, they want their ideas; also, put it on the Retirement Board agenda to see if the retirees have any ideas about things that can be discussed. They hope to start the first meeting as a productive one. She offered to draft a letter and put it on the agenda. Selectman Vispoli said they could talk about this as a potential agenda item at the meeting with both Boards the week of the 4th or no later then December 11 when they will be talking about forming the task force.

Chairman Alex Vispoli:

- Thanked John Doherty for the Veterans' Day Observance a couple of Saturdays ago when folks from the Board participated in the program. He noted that this was John Doherty's last Veterans' Day ceremony as he is preparing to retire. It was a great event, a beautiful day and well participated. He thanked John Doherty for the great day.
- Regarding the mid year review, he noted that all the presentations can be heard on the Town's web site. If residents have any questions on the presentations, he said they are to contact the Town Manager's office and they will get someone back to answer those questions.

V. Citizens Petitions and Presentations

A. John Pasquale, 47 Whittier Street

John Pasquale, 47 Whittier Street, said he was at that Mid Year Review. He felt it was well done but walked away with a couple of questions. One was about the town yard and where it is going to be located. Second, he was looking for data. He wanted to know if they are monitoring the wells. He said that under the law there has to be records and wants to know if the wells are being tested and what are the hydrocarbons and benzene contents in the water out of those wells. The Manager was asked to follow up on that.

B. Mary Carbone

Mary Carbone said she also attended the meeting at the Public Safety Building and had a problem finding a parking space and had to park on Pearson Street. She had to climb up the incline to get to the entrance and when she left the meeting early she declined to Pearson Street.

V. Citizens Petitions and Presentations (Cont.)

November 20, 2006 (Cont.)

B. Mary Carbone

Ms. Carbone said that after some thought that maybe they should have a stairway there going up from Pearson street with a landing at the top so people can approach the room and use it more often and have the opportunity to park in the library parking lot or on Pearson street. She said she has brought this to the attention of the Assistant Town Manager, Police Chief Pattullo, and Mr. Piantadosi.

VI. Public Hearing

A. Verizon New England, Inc.

A public hearing was called to hear the request of Verizon New England, Inc. for permission to lay and maintain underground conduits, pedestals and manholes, with the wires and cables to be placed therein, under the surface of the following public way:

- Moreland Avenue - place approximately 276' of underground conduit as shown on Plan No. 398 dated October 24, 2006.

The request has been reviewed and approved by the Department of Public Works subject to the conditions that a street opening permit is obtained from the DPW prior to construction and all conduit that runs under the Moreland Avenue pavement must be installed by the directional drilling method.

Joseph Gleason, right of way agent for Verizon, appeared before the Board to speak on this request. He said that National Grid has already been before the Selectmen relative to this particular project. The property owner on Moreland Avenue has requested a pole be removed and the span currently will be placed underground. Further this property owner will be responsible for all costs in construction. All Verizon is doing is seeking permission to place their wires, cable and fiber, in the conduit that will be constructed by the property owner. Town Clerk Hanson said that Comcast would be also coming in with a similar request so that this will be coming up again at the next meeting. Mr. Gleason said the property owner was not able to be here tonight.

Robert Bramhall, 15 Moreland Avenue, said one of the concerns he had about this request is that Moreland Avenue just got paved this summer; it is a brand new road in perfect condition. He wondered why the man didn't do this when it was being paved. Mr. Gleason said there is a conduit along the west side and it will be in the soft shoulder. He said they take no position on this and are just trying to accommodate the property owner. Mr. Bramhall said he was not opposed to having this done if it is all in the soft shoulder but was concerned because the town has spent all this money for a brand new road; once the road is dug up new cuts are filled and settle. He felt if it had to be done they should do the horizontal drills, which does cost more money. Mr. Gleason said it looks like that is what they will be doing as the plan shows a diagram and in the right a way there are three or four manhole covers in the road to achieve that.

After all discussion, it was moved by Selectman Lyman that they continue this Public Hearing until December 4 with the stipulation that Jack Petkus, Director of Public Works, is here or sends a report on the request. The motion was seconded by Selectman Hess, voted and approved 5-0.

VI. Public Hearing (Cont.)

November 20, 2006 (Cont.)

B. FY-2008 - FY-2011 Capital Improvement Program

The Manager noted that today is the official public hearing to give the public the opportunity to comment on the FY-2008 - FY-2011 Capital Improvement Program document. Also, eight notices have sent out to the residents who submitted private warrant articles or private requests. With the assistance of Assistant Town Manager, Steven Bucuzzo, the Manager reviewed the CIP by making a Power Point presentation and explained the requests and methods of funding. Following that presentation, the following citizens commented on their requests:

Cit-2 - Requested by: Matthew and Carolyn Keamy - 99 River Street - Proposed project will construct the missing piece of sidewalk (0.25 miles) on the west side of River Street; granite curb with an asphalt sidewalk would be built within the existing roadway Right-of-Way.

Carolyn Keamy appeared before the Board to speak on this request. She said the issue is that sidewalks exist on both ends of River Street but ends and there is a missing gap in between. At that point there is a dangerous curve making this a serious safety issue. The roadway is narrow in this location and it is dangerous to walk. There is no room when two cars are passing to get out of the way. Ms. Keamy felt it would cost about \$40,000 to add the sidewalk. The reason she said it was expensive was because the street is narrow and there is a dip. There is no space to move dirt and it will have to be filled land. Ms. Keamy said she doesn't feel safe walking and can't walk her children. She said a lot of other people on Laconia and River Street feel the same way. People could walk to the train station but can't because of the safety issue.

Selectman Vispoli asked the Manager for the Town's estimate to do this when this comes up again.

Cit-4 - Requested by: Elizabeth Roos - 5 Buchan Road - Road repaired.

Ms. Roos appeared before the Board to speak on this request. She said Buchan Road which is off Prospect Street was formerly paved over 20 years ago. She was here ten years ago advocating for lights but didn't get them. They also need crosswalks but that is another issue. The Town has done a lot of studies to check the traffic and speed. She said there are ten families that ride bikes. The road was drip sealed one year ago and it is sticky, a big mess and there are potholes where they filled in. Children get caught in the divots and fall. She said it was very dangerous. Ms. Roos was not sure how much it would cost to repair. The Manager told Ms. Roos and the Selectmen that Buchan Road is on the paving list for next summer, 2007.

Cit-3 - Requested by: Howard Meshnick & Lesley Roth - 11 Rolling Ridge Road - Install a safe harbor landing and cross-walk on High Plain Road between the corner of Rolling Ridge Road and the paved town walking path that leads to the West Elementary School.

Mr. Meshnick appeared before the Board to speak on this request. He felt it would be a nominal cost to put some sort of landing pad there so that at the very least they would have a safe place where kids who want to cross to get to the West Elementary School can stand and look at the traffic and make a proper safe judgment to cross that road. His estimated cost was \$30,000, which he felt was a nominal expense and a great benefit for safety.

VI. Public Hearing (Cont.)

B. FY-2008 - FY-2011 Capital Improvement Program (Cont.)

November 20, 2006 (Cont.)

Cit-3 - Requested by: Howard Meshnick & Lesley Roth (Cont.)

The Manager said that the big issue creating these is that the Police Safety Officer Robert Cronin wants to make sure there is a safe place to start and stop people. Mr. Meshnick said this would be a great safety issue for the kids using the pathway to go to school. The Manager said he checked with DPW and found the cost is less than \$1,000 to do that. Mr. Petkus's recommendation is to include it in his operating budget for FY-08.

Cit - 8 - Requested by Robert Marsh - Construct a 60-foot long by 6-foot wide pedestrian bridge across the Shawsheen River north of Washington Park Condominiums.

Mr. Marsh appeared before the Board to speak on this request. He said the Andover Footbridge Committee and Community Paths Committee have been trying to put a footbridge over the Shawsheen River just north of Washington Park going from a Town lot over to Conservation land across the river and connecting to a trail to Penguin Park. He said the project will cost \$150,000 and they plan to get funding through the state Merrimack Valley Planning Commission Transportation Funds. They are prepared to fund 90% of it as long as the Town supports the project financially and will fund 10% of the cost, \$15,000. Mr. Marsh said that most of the residents of the Town will be impacted positively by this and it would give the kids a chance to walk to the high school or residents walk to Shawsheen Plaza. He said they have support from fourteen different agencies in the town and state and looking for the Support of the Board of Selectmen.

Selectman Vispoli asked what was the likelihood of getting the grant. Mr. Marsh said the grant is being written now and they have gone through the 25% design. There are three design stages to go through before the final approval that could be 9 months or longer. They would like to keep this moving. Selectman Lyman thanked Mr. Marsh and said she appreciated all his time on this. She said he has done an outstanding job using his expertise to get to a wonderful proposal here. Mr. Marsh said he also appreciates all the help they have been getting to achieve their purpose.

Cit-1 - Requested by: Ellen Guthrie, 416 Lowell Street - To repair the sidewalk on Lowell Street between Bellevue Road and Rutgers Road.

Ms. Guthrie appeared before the Board to speak on this request. She said the section is across from Haggetts Pond and it is about 1.2 miles or approximately 22,000 yards of sidewalk. She said that Lowell Street is very busy, being the cutoff between Rtes. 495 and 93. There are a lot of children on the road and runners try to run on the sidewalk but prefer to brave the street with its 40 mph speed limit to risking a twisted ankle on the sidewalk. The road has ever been repaired; it is in bad shape and she would like it to be fixed.

Chairman Vispoli said they have estimated \$75,000 for this part of the sidewalk repair. Selectman Hess said this has been estimated at \$584,000 by the Town, based on a 5 ft. wide sidewalk. Ms. Guthrie said someone tried to clean the sidewalk and the ruts were too deep so it has only been swept twice and they don't get the sidewalks snow plowed. Selectman Lyman said the sad part of this is that it happens all around town.

VI. Public Hearing (Cont.)

B. FY-2008 - FY-2011 Capital Improvement Program (Cont.)

November 20, 2006 (Cont.)

Cit-6 Requested by: Michael Anderson, 42 Chestnut Street - Repair of fence between 42 Chestnut and abutting town parking lot (Park Street). Mr. Anderson appeared before the Board to speak on this request on behalf of himself and his neighbor at 44 Chestnut Street, Christina Lindholm. He said the fence abuts her property, separating his property and Park Street Village. He had photographs of the fence to show how much it was leaning. He was concerned about the safety. The fence was put up at the request of neighbors fifteen years ago. Mr. Anderson said he had a fence contractor come out and they quoted \$700 to replace the same type of fence that he would like.

In a discussion, it was talked about installing a chain link fence. Mr. Anderson said with chain link, they would not have any privacy whatsoever and he felt it would lower the resale value of the house. Selectman Lyman pointed out that the wooden fence didn't last 15 years. The Manager said he will have the Town's contractor look at it and maybe they can put in metal poles as opposed to the wooden ones. Chairman Vispoli said they would look into this.

Ci-7 - Requested by Ted Dawson, 62 Elm Street - Requesting granite over black curbing.

Mr. Dawson said his issue is the lack of curbs in parts of Elm Street. All of Elm Street is not subject to the condition he was bringing to the Board's attention but that in front of his house, 62 Elm Street, the sidewalk is roughly 2 feet above Elm Street. That significant drop is dangerous for his family or anyone trying to cross or getting into their vehicles. In addition to the two-foot drop of turf there also can be from 0 or 8 inch drop right at the end of the asphalt into the grass. The Town has filled that with small stone and there is periodic maintenance in order to maintain that rut due to eroding. It is a tough spot to maintain and he would like instead to put curbs particularly where there are significant drops. Mr. Dawson said he appreciated the opportunity to share this with everyone. The Manager said he will talk to Mr. Petkus about this but cautioned that this may involve a larger project to do the whole street.

John Pasquale, 47 Whittier Street, commented that within the last month reported in the newspaper and tying to this subject by the town administrator was the word override. He said he did not see any data to support a possible override. He felt before they put these requests in stone and go to town meeting, the Selectmen should have another plan so they are prepared. He said this was the first time there was a public hearing on this and didn't think they should use the word override unless they have the data to back it up. Mr. Stapczynski corrected that he was the Town Manager and would be happy to give him any data and information he wants and he should simply ask. Chairman Vispoli explained that the Town Manager proposes the CIP and must indicate where the funds come from. This is a proposal he makes to the Board and Town and it is for discussion and debate purposes. The Manager said he has talked about debt exemptions previously as a way of funding. It is being discussed about the roofs and sidewalks that they have talked about extensively. It is a pending problem and for this group not new but maybe for the public. They will be discussing this with the School Committee and Finance Committee about how to approach this pending problem they have. Selectman Major said they have a lot of alternatives and are trying to figure out the best way and citizens' feedback is important.

VI. Public Hearing (Cont.)

B. FY-2008 - FY-2011 Capital Improvement Program (Cont.)

Mary Carbone commented that no one is more against an override than she is;

November 20, 2006 (Cont.)

hopefully it will never happen.

With no other questions, Chairman Vispoli closed the public hearing. He assured this would get discussed several more times. He thanked the citizens who took the time to put requests in writing and come to the meeting and everyone for their comments. He also thanked the Manager, Steven Bucuzzo and Tony Torrisi.

VII. New Business

A. Representatives from Municipal Resources, Inc. - Presentation on the October 2006 Fire Department Study

Wallace E. Stickney, Chairman of Municipal Resources, Inc. appeared before the Board along with Chief George Klauber of the Derry New Hampshire Fire Department to make a presentation on the October 2006 Fire Department Study. Chairman Vispoli said this was a study that the Town Manager and Board of Selectmen sanctioned, to do a review of the Fire Department, and tonight they will be talking about the scope and findings of that report. Mr. Stickney said that he was Chairman Demerits of Municipal Resources, Inc., a company that provides services for municipalities around the New England area. In addition to the study they completed for Andover, Mr. Stickney said they provide interim services for managers, firefighters, fire chiefs and police chiefs and for whatever is required. He said they like to think that when they go out to do their work, they are current with the culture, ethics and needs of the various issues they are studying. With him tonight was Chief George Klauber from Derry, NH. He has served there for 3.5 years after serving as Chief of a large department in Waterbury, Ct., a fire department with more than 300 firefighters. Mr. Stickney said that Chief Klauber has been a participant throughout this study in terms of reviewing the information gathered from various visits, providing alternative viewpoints and very much involved in the final report. Mr. Stickney said the management side of the study is his; the technical side which will include the management of the fire service here in Andover is Chief Klauber.

Chief Klauber pointed out that the Selectmen have a copy of the report MRI had prepared and that this evening he was going to talk briefly what this report can do for Andover. He hoped it would be a useful guide and a resource that is what it should be used for the Town, the department, and the Chief. The report has 73 specific recommendations, the outcome of which was up to the Town. Highlights of the presentation were as follows:

The Methodology:

- They collected and reviewed data. Looked at response time data; ISO rating; NFPA Standard 1710 & OSHA's Two In/Two Out; one goes hand in hand with the other. Considered staff time with response times. Reviewed literature; gave a number of examples in the book to refer to.
- Conducted direct interviews with key individuals. A number of members of the MRI staff were in Town a number of times and met with most of Town staff, Fire Chief, some conversations with Union members, Deputies, Dispatchers, Fire Prevention, Police Chief and Police Commander as well as occasional informal interviews with firefighters. Had direct observations.

VII. New Business (Cont.)

A. Representatives from Municipal Resources, Inc. - Presentation on the October 2006 Fire Department Study (Cont.)

The Methodology (Cont.):

November 20, 2006 (Cont.)

- Toured the community. It was obvious Andover is a community based up of a number of specific neighborhoods with some uniqueness to each of them.
- Did a comparative analysis. Compared Andover to similar Departments around the state as well as national to have a base line how they are doing.
- Reviewed facilities and equipment.
- Some members of their team went along with some emergency rides to get an idea what is exactly happening in the street.

Chief Klauber said a number of recommendations in the report are timed and spaced to match the fiscal ability of the community. As you go through the report, he said that some things they are going to find are things that are easy to do on both sides for the fire department to be successful at; there are other things that are not so easy to do and won't be accomplished in a week or two, year or two, and may be out longer periods of time. When looking at any of those, these are the things that are based on goals and objectives to meet those. One of the things they pride themselves on, they try to use standards and methods for fire protection, EMS that are operationally safe for the firefighters and for the community.

Chief Klauber said he would talk about management team development and the development of relationships between the community, the new chief, and allow the firefighters and union, to build on relationships. They will have some comments on staff, where the needs are that need to be addressed and how that may come about. Emphasis should be placed as well on operational safety, staffing, infrastructure and station location planning.

Chief Klauber said they found Andover to be an excellent department based on the strength of its people and their desire to do a good job. One of the things they are going to stress are the words invest, plan and future. He said the next chief would have the opportunity to work with department members and the union to set a steady pace of positive change. Whoever the new chief may be, Chief Klauber said he has his work cut out for him in regards with dealing with the department members. Many times he said the department members and union although viewed as one and the same, are two different entities and you need to work with both of them. What became the key is that what is really needed for your community is the development of a comprehensive training program and the full time training officer.

Chief Klauber said there were 9 focus areas in the report with specific recommendations. Some are interlinked and along with that 73 recommendations.

Management and Administration:

- A management team should be developed that includes two new positions: Assistant Fire Chief - a non-union position; someone to work closely with the new chief and a full time training officer.
- OSHA's "Two In/Two Out" rule should be complied with. To do so, four (4) new positions should be added in FY-08 and assigned to the Ballardvale Fire Station.

VII. New Business (Cont.)

A. Representatives from Municipal Resources, Inc. (Cont.)

Management and Administration (Cont.):

- Develop and implement a daily schedule of activities. It was apparent, on

November 20, 2006 (Cont.)

any given day, it was hard to have structure. Some structure of daily activities that includes some physical training, preplanning, all those things.

- After four fire fighters are assigned to the Ballardvale Station deploy the third ambulance there.
- Institute incident command at all incidents. Recommended for safe practice more than anything else.
- Hiring four firefighters to West Station so that a complete engine company and a two-person ambulance can be staffed simultaneously.
- Consider the development of fire department based advanced life support service.
- Assign a sixth firefighter to the West Station only as Andover grows over the next five years.
- Develop a strategic plan.

Comparison to Massachusetts and National Standards:

- Looked at comparable communities - Department staffing is at the Massachusetts mean for comparable communities.
- Operating three stations is consistent with Massachusetts peer communities.
- Most departments have a senior administrative officer as second in command.
- Half of the departments have a full time training officer.
- 65% of comparable Massachusetts's fire departments that do EMS services offer ALS Emergency Services.

Facilities and Equipment:

- Replace the Ballardvale Station with a modern three bay facility that is optimally located to reduce response times in that district.
- Renovate the West Station.
- Evaluate the need for a new Quint, a full service vehicle, as opposed to a new pumper for the West Station.
- Deploy the third ambulance to Ballardvale and increase the ambulance fleet to four units of which the forth will serve as a spare.

Training:

- Create the position of Training Officer (Captain's position).
- Design and implement a comprehensive department training program including officers training and EMS training.
- Design and implement a daily physical fitness-training program.
- Train staff to conduct fire prevention inspections while on duty.
- Encourage all members to attend advanced training including attendance at the National Fire Academy.

VII. New Business (Cont.)

A. Representatives from Municipal Resources, Inc. (Cont.)

Data Management and Planning:

- Appoint a community-based Fire and EMS Master Planning Committee within five years. The Committee will work with the department and develop a

November 20, 2006 (Cont.)

strategic plan for the next decade.

- Improve records management and incident reporting capabilities.
- Add mobile data terminals to all department vehicles.

Fire Prevention:

- The new Assistant Chief's position should oversee the Fire Prevention program.
- Companies should perform under Massachusetts General Laws Chapter 148 and State Fire Prevention Regulations 527 CMR inspections of hotels, theaters that require quarterly inspections as part of the normal workday. A great way to preplan and train.
- Continue the team approach to building safety and inspectional services through the Building Department, Health and Zoning staff.
- Implement the student awareness of the fire education program in the Andover school system. That could be done through fire prevention and certainly with fire companies in concert with them.

Emergency Medical Services (EMS):

- When the Ballardvale station is staffed at four personnel, deploy the third ambulance from that station.
- Retain the current third ambulance as a means to build a fleet of four units to allow a mechanical back up unit.
- Maximize EMS rate to defray taxpayer expense.
- Explore the development of fire department ALS based service.

Dispatch and Agency Relationships:

- Establish a joint Police/Fire Department committee to oversee dispatch operations to talk about making it better in there.
- Dispatcher training to get to the EMD level and in the areas of fire department operations and Incident Command (IC). It will help to make sure that dispatchers are sending the right source to the right call.
- Establish a ride along program for new dispatchers; let the firefighters see what is happening in the dispatch world.
- Implement a technology based recall system for fire personnel.

Emergency Management:

- Andover should develop a team approach to an emergency management situation.
- All emergency services need to practice in an EOC environment.
- Apply to MEMA for funding to host a functional exercise.

VII. New Business (Cont.)

A. Representatives from Municipal Resources, Inc. (Cont.)

Conclusion:

- The challenge ahead - planning for the future.
- Long term development of the organization and people. He stressed

November 20, 2006 (Cont.)

development, organization, and people are the key to this whole document.

- Matching the needs to the fiscal ability.
- Master Planning is the key for the new chief.

Chief Klauber thanked the Selectmen and said he will be happy to answer questions.

Chairman Vispoli thanked Mr. Stickney and Chief Klauber for the comprehensive job they did. Selectman Teichert said his favorite remark was "the need for fiscal ability" which can apply to any part of the town budget. Selectman Major asked if they knew of a similar organization that addresses police operations. Mr. Stickney said the Police Chiefs' Association often assists towns in planning and there are several organizations that do that as well. Selectman Hess thanked Mr. Stickney for the work they put into this. He said it was a great comprehensive report and certainly has a lot of meat for discussion as they move to the next phase. In reference to response times, he asked what their responsibilities were. Chief Klauber answered that the standards and what they are looking for, typically they are looking to respond to an incident within four minutes with the first arriving piece of equipment 90% of the time. There are some areas in town where that is not a problem, but other areas that it can be. They talk about being able to do that with three stations that can get you to 90% of the town within four minutes. The second part of that is the distribution, the concentration of how many other stations you need to get full assignment there that you can make about getting 14 people on the scene within 8 minutes of the time 90%.

Selectman Hess said his second question had to do with the number of calls. Compared to 6 other towns, it looked like Andover had a very low number. He asked if he could speculate why that might be? Chief Klauber said that one of the things is under reporting or over reporting. There are some communities that will look at calls for service; the other thing may be are the ALS vs. BLS calls. Selectman Hess said the fire and ambulance calls are separated. Chief Klauber said if he was the new chief coming in based on that, it is one of the things he would want to take a much more in-depth look at; not so much what the calls are, but the length on those calls and how those calls are reported. That would be under data management. Also, Chief Klauber said should try to work to find what the future trends are and those areas where there is potential growth in the future.

In answer to John Pasquale as to how much this report cost, Mr. Bucuzzo said it cost \$8,500. Mr. Pasquale said he hoped they did something with this report. Also, he said the first thing he would want to see before they draw up the position for the new chief is to take the qualifications they want in the new chief from this report. His second point is on Homeland Security. He asked if this fire department is trained into handling or tied into the state and federal things going on in Homeland Security. Chief Klauber said they looked at that and it is concurred that they are trained well and handle most of that. They are recommending, however, continued training that is essential for the fire service.

VII. New Business (Cont.)

A. Representatives from Municipal Resources, Inc. (Cont.)

Chief Klauber said that fire departments do more than fight fires; they are responsible for WMD's and responsible to report HAZ MAT situations. He said this department is prepared and has worked closely with state and federal agencies to

November 20, 2006 (Cont.)

try to get that training. The Manager told Mr. Pasquale that Fire Chief Charles Murnane has been very aggressive working with Homeland Security. He has personally gone to courses and has brought instructors here to reach courses. He himself has attended five days of training here as well as a number of other people have attended interdepartmental training. Through the Fire Chief's effort, he said they have done quite a bit in terms of that training and saw it pay off in the floods of this past May when people knew what their rolls were.

Mr. Pasquale said that having dealt with consultants, if every one of these things were incorporated, he estimated it would cost about \$8 to \$10 million dollars. He asked Mr. Stickler if he could you have given a little something to do in the next three months. Chief Klauber said they have not said a thing about the need for a fire station. They tried to point out the key issues in the 73 recommendations. Mr. Pasquale said he felt they did a good job.

Mr. Stickney said this is a two-part report; they are recommending additional recourses but also recommending additional efforts within the department. It is clear the two must go in parallel.

Selectman Lyman asked how they can be reached if they have further questions. It was the consensus to go through the Town Manager's office. She thanked them very much and for all the phone calls trying to contact the Board.

VIII. Old Business

A. Discuss and Vote - Tax Classification for FY-2007

In a follow-up from questions asked the last meeting, Town Assessor Bruce Symmes said he gave the Selectman the information that was requested. One was about the residential exemption. He said granting the residential exemption raises residential tax rate and shifts the residential tax burden from moderately valued homes to apartments, summer homes and higher valued homes. The residential exemption is one way resort areas can provide some tax relief for permanent residents. Of the communities that have accepted it, it is 20% other then the following that have special legislation: Boston, Cambridge, and Somerville are at 30%. The other communities accepting these are Barnstable, Nantucket, Somerset, and Tisbury, resort communities; and Brookline, Chelsea, Everett, Marlboro, Waltham and Watertown, apartment communities. Those are communities that have benefited before that are not like Andover. The other thing he gave were the cost saving factors of the other 15 communities that Andover compared itself to. It goes from a factor of 1 to factor of 190, whatever they choose. Chairman Vispoli thanked Mr. Symmes for his follow up.

Selectman Major gave a quick overview on the FY2007 Andover Tax Classification Analysis that he does annually. Copies were distributed to the Selectmen. He used a Power Point presentation to show the different scenarios from the following potential factor and rates for a basis for discussion:

VIII. Old Business

A. Discuss and Vote - Tax Classification for FY-2007

Factors 1.46, tax percentage responsibility same as FY2006; 1.44, similar tax dollar percentage increases for residential and commercial; 1.43, residential and commercial tax increase - valuation increase; 1.40, same tax classification factor as FY2004 and FY2005; 1.42, tax classification factor is the same as FY2006; and 1.41, residential tax increase equals valuation

November 20, 2006 (Cont.)

increase. At the suggestion of Selectman Teichert, Selectman Major put in a 1.50 tax classification rate which showed a tax increase on residential property going up 3.4%; commercial 9.2%; industrial 5%. Chairman Vispoli thanked Selectman Major for doing that.

After a discussion, it was moved by Selectman Teichert that the Board set the residential tax factor at 1.46. The motion was seconded by Selectman Lyman.

Selectman Major said he felt the 1.46 rate was too high and would lean more toward 1.43 or 1.44. The 1.43 rate would decrease the rate for residential homeowners and keep the C&I rate roughly the same. Selectman Teichert said he felt residents have been taking a hit the past few years. Selectman Lyman said if you look at the increases in taxes and if you look at what the average salary increase is going to be for the person who owns the home, it still exceeds what the average salary increase is going to be for the homeowner that is going to get this bill.

Mary Carbone commented that when Mr. Symmes gave his presentation at THE last meeting, she had requested a 1.50 rate. Last year she said they shifted the burden to the residents of the community. She asked as a resident that they give them some relief. John Pasquale said when he walks around town he sees a lot of homes for sale and not selling but and a lot of small businesses expanding. He asked that the Selectmen to give homeowners a relief because they can't afford the taxes. He thanked the Board for listening.

Selectman Hess commented that they have to recognize that they have been blessed with a large number of commercial and industrial properties in Andover and it has helped them have lower tax rates. The residential property values are outpacing the growth. It is fact that they are expecting more from their residential properties then in the past no matter what they set the rate at. Over the last 10 years, single-family residential average value has gone up 112% but the average tax bill has gone up 60%. With that said he said he can support 1.46 rate as moved to keep the factor or rate that will allow residential properties to pay the same percentage of the taxes that they paid in 2006 and at the same time have a reduction of \$.14 per thousand.

After all discussion the motion was voted and approved 4-1 (Selectmen Major against).

It was moved by Selectman Major that the Board set the discount factor for Open space exemption be at zero percent. The motion was seconded by Selectman Lyman, voted and approved 5-0.

It was moved by Selectman Major that the Board set the residential exemption factor at zero percent. The motion was seconded by Selectman Lyman, voted and approved 5-0.

VIII. Old Business (Cont.)

A. Discuss and Vote - Tax Classification for FY-2007 (Cont.)

It was moved by Selectman Major that the Board set the small commercial exemption factor at zero percent. The motion was seconded by Selectman Lyman, voted and approved 5-0.

The Manager thanked Bruce Symmes and Susan Moore for the work they did on this. Also, he announced that their office staff received a Public Information

November 20, 2006 (Cont.)

Award from the Massachusetts Association of Assessors at their annual meeting recently. The Manager read the plaque they received in recognition of their outreach on public information and their efforts and commitments to inform the taxpayers of the Town of Andover from the Massachusetts Association of Assessing Officials. They received a loud round of applause.

B. School Building Needs Task Force

Chairman Vispoli opened discussion on the establishment of a school building tax force. Attending the meeting was Tony James, Chair of the School Committee and Joanne Marden, Chair of the Finance Committee. Everyone had a draft of the proposed task force. Chairman Vispoli said the request was made earlier to put a task force together and there has been some discussion about the makeup and charter of the task force. The Board discussed the draft version of the task force that in part reads as follows:

"The task force will examine/analyze all the available data on the school enrollment projections, building capacity, conditions of the school buildings, and potential deficiencies. Also examine the Massachusetts School Building Authority criteria for providing assistance and funding to the town and determine whether there are any deficiencies identified above that meet one or more of the statutory criteria. The task force will present their findings to the School Committee and Selectmen who will then determine the next steps in the process. The task force will be comprised of the following:

- 2 members each of the Board of Selectmen, the Finance Committee and the School Committee
- 2 parent representatives from each school level - Elementary, Middle and High School
- Three community representatives
- Either the Superintendent of Schools or the Business Administrator.

The MSBA has set a date of July 1, 2007 for school districts to submit Statement of Interest forms for schools having deficiencies. The following schedule is recommended:

- November/December 2006 - Form the Task Force
- End of March 2007 - School Committee and Selectmen determine next steps
- June 2007 - Selectman and School Committee vote on whether to ask the Superintendent to submit the Statement of Interest form(s) to the MSBA prior to July 1, 2007."

Tony James said he listened to a presentation by Karen Cravam, the Executive Director of the MSBA, who reports to the School Building Authority that used to be called the DOE.

VIII. Old Business (Cont.)

B. School Building Needs Task Force

It was pulled out a couple of years ago and the whole process was redefined in a positive way. They now have guaranteed funding; the funds through 1% of the sales tax revenue. In 2005, they are going to have a huge independent bond issue of \$2.5 billion. He said most important for school districts is that they have set out to create a very collegial and collaborate process in terms of how they would fund school building. They have established a series of criteria one would

November 20, 2006 (Cont.)

use in submitting a Statement to Interest.

The encouragement to communities is to examine their school situations and determine if they have deficiencies in the schools and send for each of those deficiencies for each school a Statement of Interest form and determine for what they believe is the deficiency and how it meets one of the State's criteria and do that before July 2007.

As of a couple of weeks ago, Mr. James said that Katherine Cravan had indicated that they had about a 100 Statements of Interest. They will be looking at all the Statement of Interests not on the first come first serve basis but what is the highest priority issue. One of the criteria they will use as they make an assessment of that priority is whether there are space needs, what school facility needs service. The second criteria will be overcrowding. There is some urgency of them moving forward to access the data they have available to them. Mr. James said there seemed to be some confusion in the press about the School Facilities Needs Survey and NESDEC report disagreeing with each other. The reality is they are two different looks of the same issue; one looks at the physical condition of the school; the other looks at the school needs. They are entirely different views of the same topic. Mr. James said the Facilities Need Survey finds their schools by in large in good shape. The NESDC report looked at enrollment, current classroom configurations, and deficiencies they may have for providing space for certain space activities. Also, Mr. James said the press said they spent \$40,000 on the study; it was actually \$8,900.

Mr. James said they have a time line for the task force. It is important they have a process here and broad representation. The composition of the task force is large, but being so, they would have more representation and not every member will be available at every meeting.

Selectman Hess said he had a question with the July 1, 2007 date. He did not see anywhere where it says you cannot submit forms later then that. He wondered what happens in 2008 if they don't meet the qualifications now and they may meet them a year later. Can they submit the Statement of Interest forms then? Mr. James said his concern is if they miss that window, there are 200 more projects ahead of them. Selectman Hess said he would like to know if come July 1, 2007 when they look at all the projects, what happens with applications after that. He felt that needs to be clarified.

Tom Deso said he attended several of Ms. Cravan's presentations. The deadline is July 1, 2007 for the next fiscal year funding. The next year there will be about \$1 billion of school construction approved. The following years any projects that are not approved this year will again be considered along with any remaining projects. They will look at an entity and will form as many as they can based on their criteria. The anticipation will be the amount of money will grow if the sales tax grows and the economy grows.

VIII. Old Business (Cont.)

B. School Building Needs Task Force

Selectman Lyman said she thinks on their end she has serious concerns about a committee with the number of members proposed above. She felt it would be a huge mistake to have 13 people to make this time frame and not attend every meeting. She said she wouldn't allow any process that would have a task force that didn't interview every candidate. She felt the makeup suggested is clearly loaded with school officials that will be there to lobby for their schools. She felt two from each committee, and designee, school business administrator and a

November 20, 2006 (Cont.)

parent representing parents would be fine and do the best they can with that. She felt anyone that can't attend every meeting right of the bat is a huge problem. Mr. James disagreed with that.

Selectman Teichert said he felt thirteen for a task force was way too many members and 6 to 9 would be more reasonable; but he felt they only needed 6. He said of the past task force the town has had, they have not had that many on a task force. The last one was a small group that reported back to the Board. They had a support staff. If they can't depend on the Selectmen, Finance Committee and School Committee to figure this out, then he didn't know what else they could do.

Selectman Hess said he disagreed with that. He agreed that the Superintendent of Schools or Business Administrator would not be on the committee and considered staff type to the committee. That would apply to the Director of Plant and Facilities, Joe Piantedosi to be there as well. Selectman Hess said this was a big project for the town and if they want to participate in the future, they need to have this and need input from the various elements in the town. He said an eleven to twelve task force would be fine with him but they should all attend the meetings.

Chairman Vispoli asked if there were any questions with the mission of the group. Selectman Major said one slight addition he would make in looking at potential deficiencies, that they should put a date out there whether it is 2015 or up to that point in time when they are looking at deficiencies. We should build that in.

It was the consensus to submit the recommended names anyone may have for the Task Force to Tony James to discuss all the nominees and figure out who the makeup should be. Joanne Marden said they are all set and have their volunteers. Ms. Marden said she feels they have to charge the task force with not just the starting point of the NESDEC report but also the starting point of looking at the schools themselves. She felt the broad composition of the group was necessary. Selectman Lyman said the composition isn't just numbers for the record, what they are talking about are people who are going to come who are going to lobby for their schools. That is where they are going to be at odds at the very first meeting extending what the ground rules are. That is the difficulty for her.

Mary Carbone said she agrees with Selectman Lyman's thoughts. Personal agendas run rampant in town. She said she didn't know what the possibilities of the end results should be regarding the task force, presentations, outside individuals coming in? She said the schools as it relates to renovations they already had the horrendous issue of the high school renovation. That was a disaster. Selectman Major said this task force would not be making recommendations as to what kind of construction they would do but more what are the deficiencies they see and bring that information back to the three boards.

VIII. Old Business (Cont.)

B. School Building Needs Task Force (Cont.)

Ms. Carbon felt everything should be made public. Mr. James said they have to make it plain to everyone on the task force that they are here to work the information and not here to promote feelings one way or another. They are going to work as a group and come up with a collaborative process and come up with something they believe is entirely assessable and factual.

John Pisquale said he felt they need a standing committee of 8 people and you have the other people that are alternates. The charge of the eight people is

November 20, 2006 (Cont.)

to get the data; they will get the other four in for the decisions. His proposal is that you have a standing committee and everyone knows what they are doing, their task is to get the data and he felt 8 members could do that. Mr. Pisquale asked whom this group reports to. Chairman Vispoli clarified that when you talk about alternates it is usually with a committee that has voting or not voting rights. The task force is charged to report back to the School Committee and the Board of Selectmen. When they have the composition of the committee, then they pick the chair.

Peter Lemay, 7 Keystone Way, wondered if when they define the problem and the task force comes forth and gives the answer, when does the money show up. Mr. James answered that before they go to town meeting to ask for the money if approved, they will know how much the project will cost, and second, exactly what the state reimbursement will be.

Chairman Vispoli noted that they have a tri-board meeting scheduled for next Monday on the 27th; also, they have talked about a potential meeting with the School Committee and Board of Selectmen to talk about specific issues, i.e., health care, negotiating strategies. This would not exclude the Finance Committee if they would like to attend. It will be a public meeting. The Manager said they would talk about this at tri-board meeting as to the structure how they are going to communicate as Boards tackle some of the issues they need to jointly to move forward on. Potentially, they will see if the week of December 4th would work and if other dates don't work, look to see if the 11th could work.

Chairman Vispoli said the next step is to formulate the agenda. One option may be to have folks from each Board to draft an agenda for the first meeting and be very specific and focused on issues they can move forward with. He said the key is to get some of these issues on the table where there is common interest. It may have to be in Executive Session, if they are talking about negotiations.

IX. Approval of Consent Agenda Items

A. Appointments and Re-appointments

It was moved by Selectman Hess that the Board approve the following appointments by the Town Manager:

DEPARTMENT	POSITION	RATE	EFF. DATE
PLANT & FACILITIES DEPARTMENT- Building Division			
Paul Sanborn	Tree Climber (v. H. Lutsch)	W5	11/27/06

IX. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointments (Cont.)

Selectman Teichert seconded the motion. With no objections, the motion was voted and approved 5-0.

B. One-Day All-Alcoholic Beverage License

It was moved by Selectman Lyman that the Board approve the request of Susan Grenier, on behalf of Kenwood Academy, 920 Methuen Street, Dracut, MA, for a one-day all-alcoholic beverage license on Sunday, December 10, 2006 from 6:00

November 20, 2006 (Cont.)

P.M. to 11:00 P.M. for a fundraiser at the Town House.

The application has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

The motion was seconded by Selectman Hess, voted and approved 5-0.

C. Minutes from Previous Meetings

It was moved by Selectman Teichert and seconded by Selectman Lyman that the Board approves the minutes of the November 6, 2006 - Regular Meeting. The motion was voted and approved 5-0.

X. Sewer Commissioners

It was moved by Selectman Hess that the Board adjourn to Sewer Commissioners. The motion was seconded by Selectman Major, voted and approved 5-0 by roll call vote, Selectmen Hess, Lyman, Teichert, Major and Chairman Vispoli in favor of the motion.

It was moved by Selectman Hess that the Board approve the following requests for connection to the new sanitary sewer system:

33 Alden Road - TM 78, TL 65
4 Alderbrook Road - TM 81, TL 34
96 Ballardvale Road - TM 99, TL 25-C
11 Blueberry Hill Road - TM 43, TL 32
15 Blueberry Hill Road - TM 43, TL 31
16 Blueberry Hill Road - TM 43, TL 22
27 Blueberry Hill Road - TM 43, TL 28
4 College Circle - TM 44, TL 35
3 Embassy Lane - TM 45, TL 74
4 Embassy Lane - TM 45, TL 71
174 Holt Road - TM 43, TL 44
5 Island Way - TM 140, TL 1-J
1 Meadowbrook Drive - TM 61, TL 50
5 Meadowbrook Drive - TM 61, TL 48
6 Meadowbrook Drive - TM 61, TL 46
7 Meadowbrook Drive - TM 61, TL 47
9 Moreland Avenue - TM 60, TL 27
12 Moreland Avenue - TM 60, TL 21
5 Pinecrest Road - TM 62, TL 19

X. Sewer Commissioners (Cont.)

14 Powers Road - TM 121, TL 35
6 Random Lane - TM 61, TL 33
8 Random Lane - TM 61, TL 34
6 Shaw Drive - TM 61, TL 25
3 Stinson Road - TM 43, TL 14
5 Vine Street - TM 44, TL 44

The motion was seconded by Selectman Major, voted and approved 5-0.

It was moved by Selectman Hess that the Board approve the following requests for connection to the existing sewer system:

November 20, 2006 (Cont.)

9 Clark Road - TM 137, TL 16-A
16 North Main Street - TM 38, TL 10
8 Orchard Street - TM 60, TL 11-A
34 Sunset Rock Road - TM 79, TL 11-A

The motion was seconded by Selectman Major, voted and approved 5-0.

It was moved by Selectman Hess that the Board adjourn as Sewer Commissioners and return to Regular Meeting. The motion was seconded by Selectman Major, voted and approved 5-0 by roll call vote, Selectmen Hess, Lyman, Teichert, Major and Chairman Vispoli in favor of the motion.

XI. Adjournment - 11:05 P.M.

With no further business for the Board, it was moved by Selectman Major that the Board close the Regular Meeting of the Board at 11:05 p.m. The motion was seconded by Selectman Hess, voted and approved 3-0.

Elizabeth A. Kochakian
Recording Secretary